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August 16, 2018

VIA ECF

Hon. Roanne L. Mann
Chief Magistrate Judge
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Lelchook, et al. v. Islamic Republic of Iran, et al., 1:16-cv-07078-ILG-RLM

Dear Judge Mann:

This Firm has represented defendant Bank Saderat PLC ("BSPLC") in the above case.

As the Court is aware and as set forth in Pepper Hamilton LLP's ("Pepper") mandatory Motion to Withdraw (filed August 10, 2018), this Firm has been discharged as counsel by BSPLC and BSPLC has determined not to further participate in the proceedings in this case. The mandatory Motion to Withdraw is pending the Court's consideration, and Pepper therefore currently remains counsel of record for BSPLC in this case.

After filing the Motion, the Court held a telephonic hearing and filed its Minute Entry ("Minute") on the same day, August 10, 2018.

As indicated in the Minute, the Court, among other things, directed this Firm to confer with BSPLC and to seek to arrange a telephone hearing for the Court with BSPLC regarding this matter.

BSPLC has advised respectfully that it will not participate further in these proceedings and cannot participate in a telephonic hearing. This Firm is, however, at liberty to represent to the Court that (i) the full text of the Minute has been provided to BSPLC and (ii) BSPLC has been advised that the entry of a default judgment of the Court establishing plaintiffs' claims against BSPLC in this case is "an obvious consequence of the decision to no longer



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defend the lawsuit." *City of New York v. Mikalis Pawn Shop, LLC*, 645 F.3d 114, 122 (2d Cir. 2010).

The Court has also directed the Firm to respond to plaintiffs' counsel's request that an agent be designated for service of orders and judgment in the event Pepper's withdrawal is ordered. As the Firm is discharged by BSPLC, Pepper cannot respond to that request on behalf of its former client, as it is of course without authority to do so. Pepper will however respond as directed by separate submission.

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeremy D. Frey". The signature is fluid and cursive.

Jeremy D. Frey (admitted *pro hac vice*)

cc: All counsel of record via ECF
Bank Saderat PLC